

PURSUANT TO CHAPTERS 91 AND 92, PART I, HAWAII REVISED STATUTES, AS AMENDED, NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING/HEARING OF THE MAUI COUNTY BOARD OF VARIANCES AND APPEALS (BVA)

Members: Randall Endo (Chairman), Kevin Tanaka (Vice-Chairman), William Kamai, Rachel Ball Phillips, Stephen Castro, Sr., Ray Shimabuku, Bart Santiago, Jr., Rick Tanner

**AGENDA**

DATE: June 10, 2010, Thursday

TIME: 1:30 p.m.

PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Hawaii

A. CALL TO ORDER

B. UNFINISHED BUSINESS

1. VICTOR V. CAMPOS and MYRNA J. CAMPOS appealing the Planning Director's Notice of Violation (NOV 20090014) for the un-permitted storage of damaged vehicles on property located at 1215 Lower Main Street, Wailuku, Maui, Hawaii; TMK: (2) 3-4-039:076 (BVAA 20100001). **(Continued from the February 25, 2010 meeting.)**
  - a. County of Maui's Hearing Memorandum
  - b. County of Maui's Exhibit List; Exhibits "A" - "L"
  - c. Lance D. Collins, Attorney, for the Appellant, Requesting a Motion for an Order Directing the Parties to Mediation
  - d. Lance D. Collins, Attorney, for the Appellants – Notice of Withdrawal of Counsel
  - e. County of Maui's Memorandum in Opposition to Appellant's Motion for an Order Directing the Parties to Mediation
  - f. County of Maui's Amended Hearing Memorandum
  - g. County of Maui's Supplemental Exhibit List; Exhibits "M" - "O"
  - h. John S. Rapacz, Attorney, for the Appellant, Requesting for a Continuance of Hearing Scheduled for June 10, 2010; Memorandum in Support of Request for Continuance of Hearing
2. TOM PIERCE, ESQ. representing MARGARET ANN HECHT requesting variances from road widening, paving and fire hydrant requirements of Maui County Code, §§16.04B.140, 16.04B.400 and 18.20.040 for the Margaret Hecht Subdivision (Subdivision File No. 1.296) located at 39879 Hana Highway, Hana, Maui, Hawaii; TMK: (2) 1-6-008:023 (BVAV 20100006). **(Continued from the March 25, 2010 meeting. Members, please bring previously distributed material with you to the meeting.)**

C. APPROVAL OF THE MAY 27, 2010 MEETING MINUTES

D. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases

E. NEXT MEETING DATE: June 24, 2010, Thursday

F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.  
EACH APPLICANT IS REQUESTED TO PROVIDE RESPONSIBLE REPRESENTATION AT THE MEETING.

INFORMATION RELATIVE TO THE ABOVE APPLICATIONS ARE AVAILABLE FOR REVIEW AT THE PLANNING DEPARTMENT'S OFFICE LOCATED AT 250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII.

ANY PERSONS REQUESTING ACCOMMODATION DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7253, OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII 96793, OR BY FAX NUMBER 270-7634 AT LEAST SIX (6) DAYS BEFORE THE SCHEDULED MEETING.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF VARIANCES AND APPEALS. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 4:30 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE BOARD TO CONSULT WITH THEIR ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at 270-7253 at least one day prior to the meeting date.